

IDAHO PLUMBING BOARD MEETING

Friday – June 30, 2006 – 9:00 A.M.

Division of Building Safety
Board Conference Room
1090 E Watertower Street
Meridian, ID 83642

***DRAFT MINUTES OF THE JUNE 30, 2006 MEETING**

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

The meeting was called to order by Chairman Ray Coon at 9:00 a.m. on Friday, June 30, 2006.

Board Members Present:

Ray Coon, SanRay Plumbing, Caldwell, Chairman
Bob Livesay, Crown Plumbing, Vice Chairman
Milford Terrell, DeBest Plumbing, Boise
Ben Schooley, B & S Plumbing, Coeur D'Alene

Board Members Absent:

DBS Staff Members:

John A. McAllister, Administrator, DBS
Marsi Woody, Deputy Administrator, DBS
Steve Keys, Deputy Administrator, DBS
Kay Christensen, Deputy Attorney General
Rusty Boyer, Plumbing Bureau Code Specialist, DBS
Bob Rawlings, Plumbing Bureau Code Specialist, DBS
Al Caine, Licensing Program Supervisor, DBS
Linda Hyde, Administrative Assistant, DBS

AGENDA MOTION: Milford Terrell made a motion to accept the Agenda with the Change of the Bond discussion being moved from Old Business to New Business along with the Board Chairman meeting discussion. Bob Livesay seconded, all ayes, motion passed.

MEETING MINUTES MOTION: Milford Terrell made a motion to accept the Meeting Minutes of April 21, 2006 with any additions or corrections the Board may have. Ben Schooley seconded, all ayes motion passed.

◆ **Honey Due, Inc. Civil Penalty Appeal**

Milford Terrell spoke about the penalty appeal, he is asking that more information be provided and more legible documentation be provided to the Board members. Steve Keys explained to the Board what DBS does is bring background information and presents the case to the Board, which may include more updated/technical information. Kay added there may be testimony as well as documentation.

◆ **Finance Report**

Marsi Woody discussed the financial spreadsheets. Milford Terrell asked Marsi to provide him with Plumbing's percentage of allocated administrative expenses for 1990, 1995, and 2000, and the present allocation. Milford Terrell wants to know if the percentages have changed much from 1990 to now.

◆ **Report from Ben Schooley-Waterless Urinals**

Ben Schooley visited three sites in Moscow on April 13 that had installed waterless urinals. Locations were:

- Rotary Park

- Moscow Food Co-Op and
- North Idaho Athletic Club

Ben Schooley is recommending that if this Board is going to allow the use of water-free urinals, regular maintenance will have to be mandated.

MOTION: Milford Terrell made a motion to give Boise Public Works the ability to install waterless urinals as a pilot project; included in this motion was the Eastern Idaho location be given the ability to install waterless urinals as a temporary site, or pilot project. Bob Livesay seconded, all ayes, motion passed.

Kay added in a previous discussion about this topic, this Board had stated it would require a monthly report regarding maintenance from each of these entities.

MOTION: Milford Terrell made a second motion that each of these pilot projects provide monthly reports and pictures from each site, and that any future sites that this Board authorizes will provide ongoing monthly reports and pictures as well. Bob Livesay seconded, all ayes, motion passed.

◆ **Air Admittance Valves**

Ben Schooley and Bob Rawlings suggested revised parameters limiting use of Air Admittance Valves. Milford Terrell stated that this would be a rule change. Kay agreed and stated there is a rule to accept Air Admittance Valves and it will be going in front of the legislature this year. The Chair stated a desire to modify the rule to limit application where the valves are allowed. Bob Rawlings stated that he had sent out a second email addressing Milford's concerns. Bob Rawlings advocated a specific delineation listing applications allowed along with those prohibited. Kay stated that if the Board desires to promulgate a new rule, the deadline is mid-August. Kay will report back, and may need a quick teleconference call to have a motion to proceed. Milford Terrell asked Kay to email all the Board members with her findings.

◆ **Notice of Violations Report**

Al Caine went over two reports; the thicker one has the warning letters. The majority of these relate to failure to send in the fees and permits after having inspection. The other document shows civil penalties that have been issued in regards to those violations. The people who have received these civil penalties have previously received warning letters. In most of the cases, it is their first civil penalty. Milford Terrell questioned why Contractors are assessed penalties; his understanding was this law was for people who were working without a license. Al Caine answered this was for failure to submit a permit and a fee. Kay Christensen stated the civil penalty rule provides for the assessment of a civil penalty against anyone who fails to pay applicable fees for his plumbing permit or requested inspection. It also applies to anyone who doesn't make the corrections in the time allotted. Milford Terrell asked Kay Christensen to write a letter describing what the intent of the Rule was; this Rule may need to be changed. Mr. Terrell does not want to hit the contractors three-four-five times with fees. This will be a topic at the next Board meeting.

◆ **Change Testing To ICC**

Al Caine explained that the Division in the past has had the same testing agency across the board; lately the Bureaus have been using different testing agencies. Al needs to know how the Board wishes to proceed with this. Does DBS keep things the way they are or go with ICC? Milford Terrell is asking that this be an action item on September's agenda, either accepting or rejecting ICC as the testing agency for the Plumbing exams.

◆ **Exam Summary Report**

Al Caine stated that from now on there will be statistics for the Board to review regarding exam results. In May the passing percentage increased significantly; pass rate on the Journeyman exam is high compared to some of the other trades.

◆ **Board Chairmen Meeting**

Ray Coon explained that topics discussed were: software replacement/development. John McAllister added that the current software has significant problems. The goal is to have the new system fully implemented in two years. Another topic discussed was expanding the authority of the Administrator. Ray Coon has concerns about what authority will be taken away from the Boards. John McAllister answered that the intent was not to eliminate any powers of the Board related to the regulation of the Plumbing industry. The

problem is that similar functions recur in five different places. Each one of the five is done differently. DBS needs efficient processes allowing the Administrator to promulgate rules relative to administrative processes which would facilitate more efficient operations. The Administrator needs one process that all the bureaus can use. The next topic was HB 761 (Bonds). The Board needs to take a position on this issue if it comes up again. Does the Plumbing Board support a new Bond, keep the current Bond, or require no Bond? Milford Terrell asked Jerry Peterson if to his knowledge as a lobbyist, this issue will be coming back. Jerry Peterson answered yes, and offered a suggestion. He would like to see separate legislation that addresses the \$300,000.00 liability or Work Comp. requirement into the existing law, separate from the Bond.

MOTION: Milford Terrell made the motion that this Board could support the industry standard of \$300,000.00 liability and proof of Workman's Compensation as separate legislation and that this Board would look at any legislation that would come forth on its own merits in regards to bonding. Bob Livesay seconded. A discussion ensued involving this motion. All ayes, motion passed.

MOTION: Milford Terrell made a motion that this Board is not in any shape or form ready to support another House Bill such as HB761. Bob Livesay seconded, all ayes, motion passed.

MOTION: Milford Terrell made a motion to accept the recommendation of the rolling calendar as presented. Ben Schooley seconded, all ayes, motion passed.

New Business

◆ Letter from Coeur d'Alene

Bob Rawlings visited Coeur d'Alene and tested the water for hardness; multiple sites were tested and Bob reported the tests reflected hard water. Ben Schooley again stated his opposition to the forced water softener loops. He provided a letter to the other Board members from the City of Coeur d'Alene involving the testing done by a professional water purveyor. According to this letter the water softener loop is unnecessary.

◆ Milford Terrell requested that the Board meeting currently scheduled for September 15th, 2006 be changed to September 22, 2006. All Board members agreed.

MOTION TO GO INTO EXECUTIVE SESSION: Milford Terrell made a motion to go into Executive Session under the current rules and regulations for discussion of two topics, litigation and personnel. Bob Livesay seconded, all ayes, motion passed. Roll Call Vote, Chairman Coon – yes, Bob Livesay – yes, Ben Schooley – yes, Milford Terrell – yes. Executive Session started at 12:05pm and ended at 12:34pm.

◆ IAPMO

Ron Lord from IAPMO introduced himself; Ron represents the mid-western states, and informed the Board that IAPMO and ICC are in negotiations to come up with one plumbing code. IAPMO plans on doing training and education on the new code. The first code, The International Uniform Plumbing Code, could come out in 2009.

MOTION TO ADJOURN: Ben Schooley made the motion to adjourn, Milford Terrell seconded, all ayes, the meeting was adjourned at 1:05pm.

John A. McAllister, Administrator

Date

Steve Keys, Deputy Administrator, Operations

Date

Ray Coon, Chairman, Plumbing Board

Date